
Appendix A

Local Involvement and Support Letters

Yuba County Water Agency
Nevada County
Yuba County

YUBA COUNTY



WATER AGENCY

1402 D STREET
MARYSVILLE
CALIFORNIA
95901-4226

530-741-6278

530-741-6541

April 12, 1999

Dr. Michael Bryan
Surface Water Resources, Inc.
455 Capitol Mall, Suite 600
Sacramento, CA 95814

Subject: CALFED Proposal for Development of an Implementation Plan for
Lower Yuba River Anadromous Fish Habitat Restoration

Dear Dr. Bryan:

This letter indicates Yuba County Water Agency's (YCWA) interest in supporting Surface Water Resources (SWRI) and the Yuba River Fisheries Technical Working Group (YRFTWG) as a cost-sharing partner in the development of an implementation plan for lower Yuba River anadromous fish habitat restoration.

The Agency understands that, although numerous anadromous fish enhancement and restoration actions have been proposed for the lower Yuba River in the past, there currently exists no coordinated effort at the local level to assist CALFED, other agencies, and interested/affected parties in determining priorities, budgets, and funding sources for near-term implementation of high-priority projects and studies. By assisting CALFED in its objective to work with stakeholders in local watersheds and communities to develop local implementation plans, this project will facilitate efficient on-the-ground implementation of technically sound, high-priority actions and studies that will best achieve individual and shared ecosystem enhancement goals defined by participants of the YRFTWG and CALFED. Only through development of a local-level, multi-agency implementation plan can we effectively integrate past, ongoing, and planned management and restoration initiatives to aid CALFED and the cooperating agencies/parties of the YRFTWG in achieving maximum Yuba River ecosystem benefits while minimizing costs to each party. Based on its cooperative approach, this project also will minimize the potential for actions implemented to enhance and restore lower Yuba River anadromous fishery resources to adversely affect water supply, flood control, and other beneficial uses of the Yuba River Project.

If you have any questions about our support for this important project, please do not hesitate to contact me at (530) 741-6278.

Sincerely,

Donn A. Wilson *uj*
Engineer Administrator

cc: Rebecca Fawver
CALFED Bay-Delta Program Office
1416 Ninth Street
Sacramento, CA 95814

April 14, 1999

Mr. Mark Tomich
Planning Department
Nevada County
950 Maidu Avenue
Nevada City, CA 95959-8617

Dear Mr. Tomich:

This letter is to inform Nevada County that Surface Water Resources, Inc. (SWRI) plans to submit a proposal to CALFED on behalf of the Yuba River Fisheries Technical Working Group (YRFTWG) to develop a local-level, multi-agency implementation plan (Implementation Plan) to direct the near-term implementation of prioritized Yuba River anadromous fish habitat enhancement and restoration actions. The YRFTWG currently has representatives from the California Department of Fish and Game, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Yuba County Water Agency, Pacific Gas and Electric Company, South Yuba River Citizens League, and Friends of the River. The Implementation Plan will be based on the principles of adaptive management, and will be consistent with long-term goals identified by CALFED and other parties for ecosystem- and watershed-level protection, enhancement, and restoration. Completion of this proposed project will facilitate achieving CALFED's Strategic Plan objective of working with stakeholders in local watersheds and communities to develop local implementation plans that will effectively facilitate restoring processes and habitats that benefit priority fish species. Funding for the implementation of prioritized actions will be obtained from CALFED and other agencies/parties via separate proposals.

The project site is the lower Yuba River, defined as the 24-mile reach between Englebright Dam and the confluence with the Feather River. Figure 1 is a regional map showing the location of the lower Yuba River, within Nevada and Yuba counties, and key watershed elements (e.g., dams, reservoirs, diversions, and tributaries) that affect fishery habitat conditions in the lower Yuba River, including New Bullards Bar and Englebright dams and reservoirs, Narrows I and Narrows II powerhouses, and Daguerre Point Dam.

The primary objectives for the project include:

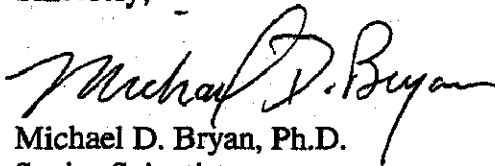
- developing a detailed implementation plan providing the conceptual framework and process that will guide the refinement, evaluation, prioritization, implementation, monitoring, and post-monitoring revision of ERP actions, as well as actions proposed by other agencies, and newly developed actions;
- facilitating implementation of Yuba River enhancement/restoration actions and studies leading to population increases for the lower river's fall-run/late-fall-run and spring-run chinook salmon, steelhead, and other anadromous fish populations; and

- structuring the implementation of near-term actions and studies in a manner that initiates effective recovery of chinook salmon and steelhead populations, while increasing knowledge pertaining to how key watershed and river structures, processes, operations, and related factors work individually and collectively to influence anadromous fish habitat and populations within the lower river.

SWRI will serve as project manager and will prepare, or coordinate the preparation of, all initial work products associated with development of the Implementation Plan. These work products will be distributed to all YRFTWG participants for review and comment at the group's bi-monthly meetings. YRFTWG participants have already discussed and acknowledged that universal agreement on all enhancement/restoration actions and studies prioritized for implementation (i.e., specific components of the plan) will not always be possible, nor essential to meet the broad goals of the agencies and stakeholders participating in the YRFTWG. Nevertheless, all YRFTWG participants have agree to support the development and use of the Implementation Plan as the best mechanism for achieving their specific and shared goals associated with lower Yuba River fishery enhancement/restoration. As such, the YRFTWG as a whole will serve as a "steering committee" to guide development of the Implementation Plan. Development of the Implementation Plan will include opportunities for input from the general public.

We look forward to working with Nevada County agencies, should the proposal be funded. Please feel free to contact me at (916) 325-4043 with any questions you might have.

Sincerely,



Michael D. Bryan, Ph.D.
Senior Scientist

Enclosure

cc: Nevada County Board of Supervisors
Yuba River Fisheries Technical Working Group

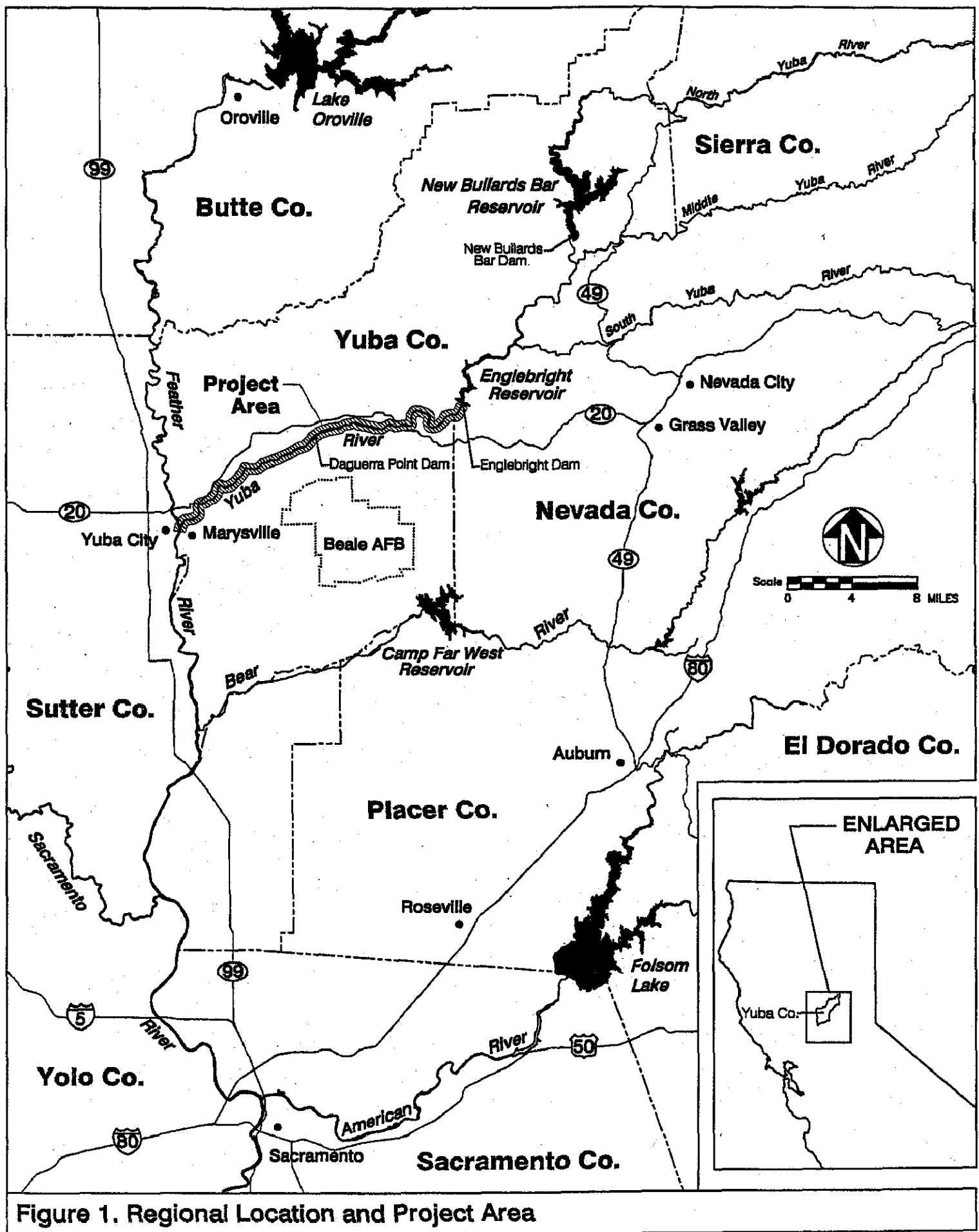


Figure 1. Regional Location and Project Area

April 14, 1999

Mr. Tim Manning
Planning Director
Community Development Department
Yuba County
938 14th Street
Marysville, CA 95901

Dear Mr. Manning:

This letter is to inform Yuba County that Surface Water Resources, Inc. (SWRI) plans to submit a proposal to CALFED on behalf of the Yuba River Fisheries Technical Working Group (YRFTWG) to develop a local-level, multi-agency implementation plan (Implementation Plan) to direct the near-term implementation of prioritized Yuba River anadromous fish habitat enhancement and restoration actions. The YRFTWG currently has representatives from the California Department of Fish and Game, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Yuba County Water Agency, Pacific Gas and Electric Company, South Yuba River Citizens League, and Friends of the River. The Implementation Plan will be based on the principles of adaptive management, and will be consistent with long-term goals identified by CALFED and other parties for ecosystem- and watershed-level protection, enhancement, and restoration. Completion of this proposed project will facilitate achieving CALFED's Strategic Plan objective of working with stakeholders in local watersheds and communities to develop local implementation plans that will effectively facilitate restoring processes and habitats that benefit priority fish species. Funding for the implementation of prioritized actions will be obtained from CALFED and other agencies/parties via separate proposals.

The project site is the lower Yuba River, defined as the 24-mile reach between Englebright Dam and the confluence with the Feather River. **Figure 1** is a regional map showing the location of the lower Yuba River, within Yuba and Nevada counties, and key watershed elements (e.g., dams, reservoirs, diversions, and tributaries) that affect fishery habitat conditions in the lower Yuba River, including New Bullards Bar and Englebright dams and reservoirs, Narrows I and Narrows II powerhouses, and Daguerre Point Dam.

The primary objectives for the project include:

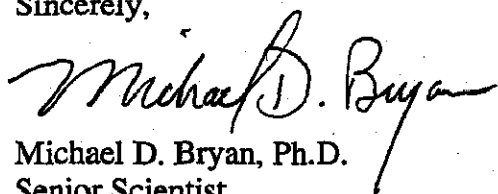
- developing a detailed implementation plan providing the conceptual framework and process that will guide the refinement, evaluation, prioritization, implementation, monitoring, and post-monitoring revision of ERP actions, as well as actions proposed by other agencies, and newly developed actions;

- facilitating implementation of Yuba River enhancement/restoration actions and studies leading to population increases for the lower river's fall-run/late-fall-run and spring-run chinook salmon, steelhead, and other anadromous fish populations; and
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We look forward to working with Yuba County agencies, should the proposal be funded. Please feel free to contact me at (916) 325-4043 with any questions you might have.

Sincerely,



Michael D. Bryan, Ph.D.
Senior Scientist

Enclosure

cc: Yuba County Board of Supervisors
Yuba River Fisheries Technical Working Group

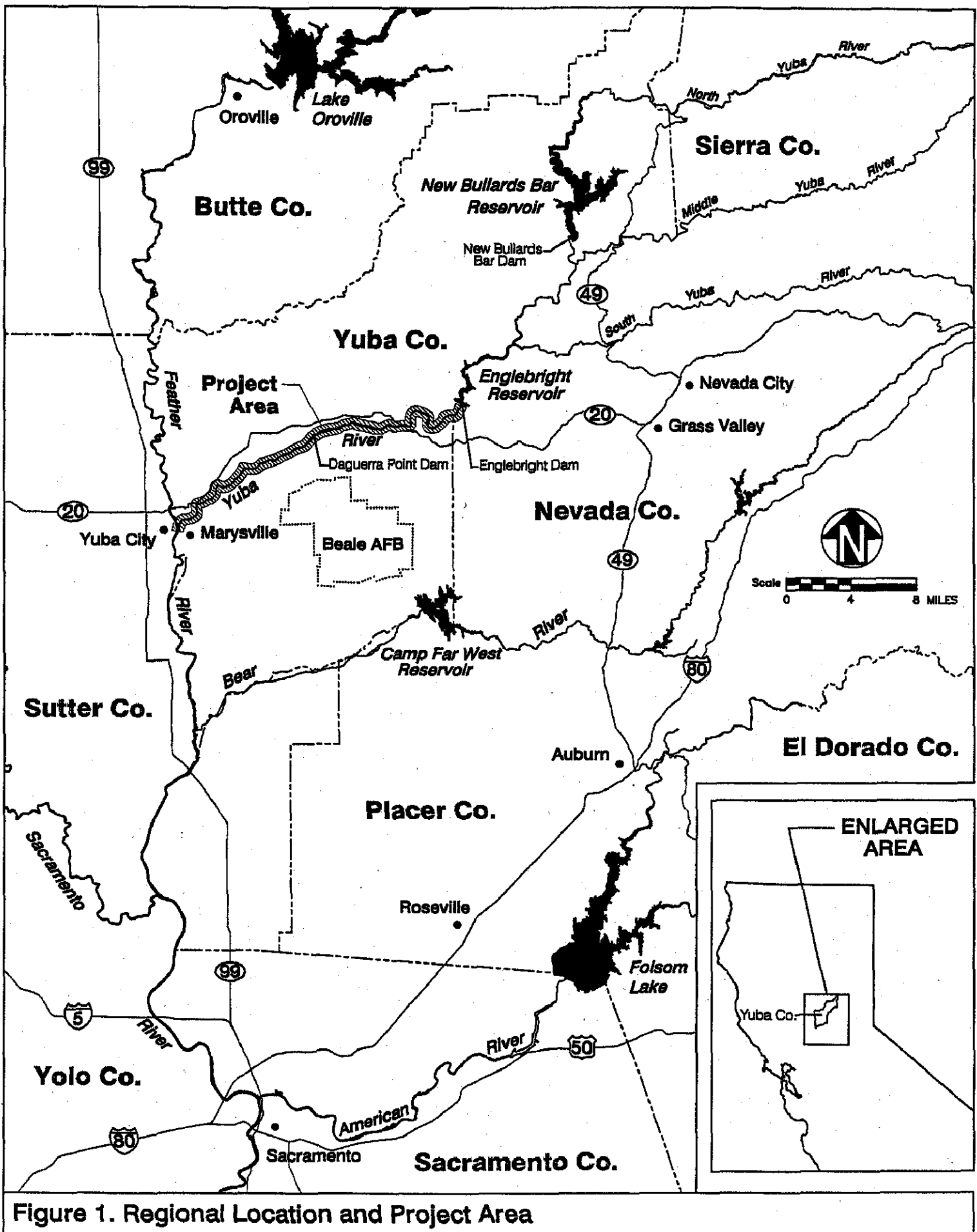


Figure 1. Regional Location and Project Area

Appendix B

Required State and Federal Forms

Nondiscrimination Compliance Statement

Standard Form 424 - Application for Federal Assistance

Standard Form 424A Budget Information

Standard Form 424B Assurances Non-Construction Programs

*Certifications Regarding Debarment, Suspension and Other
Responsibility Matters, Drug-Free Workplace Requirements and
Lobbying*

NONDISCRIMINATION COMPLIANCE STATEMENT

STD. 19 (REV. 3-95) FMC

COMPANY NAME

Surface Water Resources, Inc

The company named above (hereinafter referred to as "prospective contractor") hereby certifies, unless specifically exempted, compliance with Government Code Section 12990 (a-f) and California Code of Regulations, Title 2, Division 4, Chapter 5 in matters relating to reporting requirements and the development, implementation and maintenance of a Nondiscrimination Program. Prospective contractor agrees not to unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, denial of family and medical care leave and denial of pregnancy disability leave.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized to legally bind the prospective contractor to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME

Paul M. Bratovich

DATE EXECUTED

April 16, 1999

EXECUTED IN THE COUNTY OF

Sacramento, California

PROSPECTIVE CONTRACTOR'S SIGNATURE

Paul M Bratovich / Partner

PROSPECTIVE CONTRACTOR'S TITLE

Partner

PROSPECTIVE CONTRACTOR'S LEGAL BUSINESS NAME

Surface Water Resources, Inc.

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

| | | | |
|--|--|--|------------------------------|
| 1. TYPE OF SUBMISSION: | | 2. DATE SUBMITTED <u>April 16, 1999</u> | Applicant Identifier |
| Application <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | 3. DATE RECEIVED BY STATE | State Application Identifier |
| | | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier |

A. APPLICANT INFORMATION

| | |
|--|--|
| Legal Name: <u>Surface Water Resources, Inc.</u> | Organizational Unit: |
| Address (give city, county, State, and zip code): <u>455 Capitol Mall, Suite 600 Sacramento, CA 95814</u> | Name and telephone number of person to be contacted on matters involving this application (give area code): <u>Michael D. Bryan, Ph.D. 916/325-4050</u> |

| | |
|---|--|
| 5. EMPLOYER IDENTIFICATION NUMBER (EIN): <u>66-0384309</u> | 7. TYPE OF APPLICANT: (enter appropriate letter in box) <div style="text-align: right;"><input checked="" type="checkbox"/> M</div> |
|---|--|

| | |
|---|--|
| 8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): | <div style="display: flex; justify-content: space-between;"> <div> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District </div> <div> H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) _____ </div> </div> |
|---|--|

| |
|---|
| 9. NAME OF FEDERAL AGENCY: <u>CALFED</u> |
|---|

| | |
|---|--|
| 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <div style="display: flex; align-items: center;"> <div style="margin-right: 20px;">TITLE: <u>N/A</u></div> <div> <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </div> </div> | 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: <u>Development of an Implementation Plan for Lower Yuba River Anadromous Fish Habitat Restoration</u> |
|---|--|

| |
|--|
| 12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): <u>Yuba and Nevada County, California</u> |
|--|

| | |
|---------------------------|---------------------------------|
| 13. PROPOSED PROJECT | 14. CONGRESSIONAL DISTRICTS OF: |
| Start Date Ending Date | a. Applicant <u>3-5, 11</u> |
| | b. Project <u>2</u> |

| | | | |
|-----------------------|----|---|--|
| 5. ESTIMATED FUNDING: | | 16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? <u>N/A</u> | |
| f. Federal | \$ | 00 | a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____ b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW |
| g. Applicant | \$ | 00 | |
| h. State | \$ | 00 | |
| i. Local | \$ | 00 | |
| j. Other | \$ | 00 | |
| Program Income | \$ | 00 | 17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No |
| k. TOTAL | \$ | <u>171,100</u> | |

8. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

| | | |
|--|---|--|
| Type Name of Authorized Representative <u>Paul M. Bratovich</u> | b. Title <u>Partner</u> | c. Telephone Number <u>916/325-4050</u> |
| Signature of Authorized Representative <u>Paul M. Bratovich</u> | d. Date Signed <u>April 16, 1999</u> | |

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

- | Item: | Entry: | Item: | Entry: |
|-------|---|-------|--|
| 1. | Self-explanatory. | 12. | List only the largest political entities affected (e.g., State, counties, cities). |
| 2. | Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable). | 13. | Self-explanatory. |
| 3. | State use only (if applicable). | 14. | List the applicant's Congressional District and any District(s) affected by the program or project. |
| 4. | If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank. | 15. | Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <i>only</i> the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |
| 5. | Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application. | 16. | Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. |
| 6. | Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service. | 17. | This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. |
| 7. | Enter the appropriate letter in the space provided. | 18. | To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) |
| 8. | Check appropriate box and enter appropriate letter(s) in the space(s) provided: -- "New" means a new assistance award. -- "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. -- "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. | | |
| 9. | Name of Federal agency from which assistance is being requested with this application. | | |
| 10. | Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested. | | |
| 11. | Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project. | | |

INSTRUCTIONS FOR THE SF-424A

Public reporting burden for this collection of information is estimated to average 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0044), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary Lines 1-4 Columns (a) and (b)

For applications pertaining to a single Federal grant program (Federal Domestic Assistance Catalog number) and *not* requiring a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a *single* program requiring budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to a *multiple* programs where one or more programs require a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in Columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5—Show the totals for all columns used.

Section B. Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i—Show the totals of Lines 6a and 6h in each column.

Line 6j—Show the amount of indirect cost.

Line 6k—Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7—Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program.

INSTRUCTIONS FOR THE SF-424A (continued)

narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant

Section C. Non-Federal Resources

Lines 8-11--Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) - Enter the contribution to be made by the applicant.

Column (c) - Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) - Enter totals of Columns (b), (c), and (d).

Line 12--Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f) Section A.

Section D. Forecasted Cash Needs

Line 13--Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14--Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15--Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project.

Lines 16-19--Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding period (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20--Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21--Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22--Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23--Provide any other explanations or comments deemed necessary.

BUDGET INFORMATION - Non-Construction Programs**SECTION A - BUDGET SUMMARY**

| Grant Program Function or Activity (a) | Catalog of Federal Domestic Assistance Number (b) | Estimated Unobligated Funds | | New or Revised Budget | | |
|---|--|-----------------------------|--------------------|-----------------------|--------------------|--------------|
| | | Federal (c) | Non-Federal (d) | Federal (e) | Non-Federal (f) | Total (g) |
| 1. CALFED Bay-Delta Program Ecosystem | | \$ | \$ | \$ 99,160 | \$ 35,500 | \$ 134,660 |
| 2. Restoration Program (ERP) | | | | | | |
| 3. | | | | | | |
| 4. | | | | | | |
| 5. Totals | | \$ | \$ | \$ 99,160 | \$ 35,500 | \$ 134,660 |

SECTION B - BUDGET CATEGORIES

| 6. Object Class Categories | GRANT PROGRAM, FUNCTION OR ACTIVITY | | | | Total |
|--|-------------------------------------|-----|-----|-----|-------|
| | (1) ERP | (2) | (3) | (4) | (5) |
| a. Personnel | \$ 66,696 | \$ | \$ | \$ | \$ |
| b. Fringe Benefits | 28,584 | | | | |
| c. Travel | 776 | | | | |
| d. Equipment | | | | | |
| e. Supplies | 3,104 | | | | |
| f. Contractual | 35,500 | | | | |
| g. Construction | | | | | |
| h. Other | | | | | |
| i. Total Direct Charges (sum of 6a-6h) | | | | | |
| j. Indirect Charges | | | | | |
| k. TOTALS (sum of 6i and 6j) | \$ 134,660 | \$ | \$ | \$ | \$ |
| 7. Program Income | \$ | \$ | \$ | \$ | \$ |

| SECTION C - NON-FEDERAL RESOURCES | | | | |
|-----------------------------------|---------------|-----------|-------------------|------------|
| (a) Grant Program | (b) Applicant | (c) State | (d) Other Sources | (e) TOTALS |
| 8. ERP | \$ 50,000 | \$ | \$ | \$ 50,000 |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. TOTAL (sum of lines 8 - 11) | \$ 50,000 | \$ | \$ | \$ 50,000 |

| SECTION D - FORECASTED CASH NEEDS | | | | | |
|------------------------------------|--------------------|-------------|-------------|-------------|-------------|
| | Total for 1st Year | 1st Quarter | 2nd Quarter | 3rd Quarter | 4th Quarter |
| 13. Federal | \$ 99,160 | \$ 23,650 | \$ 27,350 | \$ 23,050 | \$ 25,110 |
| 14. NonFederal | 35,500 | 7,100 | 7,100 | 10,650 | 10,650 |
| 15. TOTAL (sum of lines 13 and 14) | 134,660 | 30,750 | 34,450 | 33,700 | 35,760 |

| SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT | | | | |
|---|--------------------------------|------------|-----------|------------|
| (a) Grant Program | FUTURE FUNDING PERIODS (Years) | | | |
| | (b) First | (c) Second | (d) Third | (e) Fourth |
| 16. ERP | \$ 71,940 | \$ | \$ | \$ |
| 17. | | | | |
| 18. | | | | |
| 19. | | | | |
| 20. TOTAL (sum of lines 16-19) | \$ 71,940 | \$ | \$ | \$ |

| SECTION F - OTHER BUDGET INFORMATION | |
|--------------------------------------|-----------------------|
| 21. Direct Charges: | 22. Indirect Charges: |
| 23. Remarks: | |

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Paul M. Bratovich

TITLE

Partner

APPLICANT ORGANIZATION

Surface Water Resources, Inc.

DATE SUBMITTED

April 16, 1999

U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and
Other Responsibility Matters, Drug-Free Workplace
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used; use this form for certification and sign; or use Department of the Interior Form 1954 (DI-1954). (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters -
Primary Covered Transactions**

CHECK ☒ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -
Lower Tier Covered Transactions**

CHECK ☒ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

PART C: Certification Regarding Drug-Free Workplace Requirements

CHECK ☒ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about—
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will —
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted —
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

455 Capitol Mall, Suite 600
Sacramento, CA 95814

Check ☐ if there are workplaces on file that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

CHECK ☐ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

CHECK ☒ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK ☐ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Paul M. Bratovich / Partner

TYPED NAME AND TITLE

Paul M. Bratovich, Partner

DATE

April 16, 1999